

### **REMARKS**

This is in response to the Office Action mailed on July 23, 2009. A Petition for a three-month extension of time is filed concurrently herewith to extend the deadline for response from October 23, 2009, to January 23, 2010.

In the Office Action, claims 1-15 were rejected. With this Amendment, claim 6 is amended and claim 19 is added. All amendments are fully supported by the original specification and drawings. No new matter is added. Claims 16-18 were previously canceled. Claims 1-15 and 19 are pending in the application. In light of the foregoing amendments and following remarks, Applicant respectfully requests advancement of this application to allowance.

#### **Amendment To Claim 6**

Claim 6 is amended to correct the spelling of the word "tyre."

#### **Rejections Under 35 U.S.C. § 102**

Claims 1-15 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by one of Okada (JP 60-18407), Hoshino (JP 8-58307), and Katoh (GB 2390064). Applicant respectfully traverses the rejections because none of the references disclose or suggest each and every element of claims 1, 10, or 13. Each rejection will be addressed in turn below.

##### ***A. Claims 1, 2, 4, 5, 8, and 9***

Claims 1, 2, 4, 5, 8, and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Okada (JP 60-18407). Applicant respectfully traverses the rejection.

Claim 1 recites a tyre adapted to be fitted onto a wheel rim designed for pneumatic tyres, the wheel rim having a tyre support surface incorporating a bead seat on each side of the rim, each bead seat comprising an inner seat portion and an outer seat portion terminating in an arcuate portion defining the outer periphery of the wheel rim, the tyre comprising a radially inner portion engagable with the wheel rim to be supportingly received thereon, the radially inner portion comprising a band adapted to be releasably fixed with respect to the outer periphery of the wheel rim by being welded thereto.

Okada fails to disclose releasably fixing a tyre with respect to the outer periphery of the wheel rim by being welded thereto, as recited in claim 1. In contrast, Okada describes solid tyres of the type that are press fitted onto wheel rims.

By releasably fixing a tyre with respect to the outer periphery of the wheel rim by welding, the tyre can be fastened to wheel rims of a variety of different machines.

In fact, each piece of machinery or equipment has different wheel/hub offsets. That is, for example, a bobcat would have a different offset to a drill rig or a shotcrete machine. The tyre size may be the same but the wheel/hub offset will be totally different. Claim 1 recites that the tyre includes a band that is adapted to be releasably fixed with respect to the outer periphery of the wheel rim by being welded thereto. This permits the tyre to be used, for example, on a wide variety of different machines having different wheel/hub offsets.

The Examiner asserts that limitations directed to the wheel rim do not further define the structure of the claimed tyre. Applicants note, however, that the features of the “radially inner portion” and the “band” are features of the tyre and not of the wheel rim, and therefore that the element “a band adapted to be releasably fixed with respect to the outer periphery of the wheel rim by being welded thereto” as defines features of the tyre.

Accordingly, Applicant respectfully requests reconsideration and allowance of claim 1, as well as dependent claims 2, 4, 5, 8, and 9 that ultimately depend therefrom.

***B. Claims 1-5 and 7***

Claims 1-5, and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hoshino (JP 8-58307). Applicant respectfully traverses the rejection.

As discussed above, claim 1 is directed to a tyre, and recites, in part, a “radially inner portion comprising a band adapted to be releasably fixed with respect to the outer periphery of the wheel rim by being welded thereto.” This permits the tyre to be used, for example, on a wide variety of different machines having different wheel/hub offsets.

Hoshino also fails to disclose releasably fixing a tire with respect to the outer periphery of the wheel rim by welding. In contrast, Hoshino describes solid tyres of the type that are press fitted onto wheel frames.

Accordingly, Applicant respectfully requests reconsideration and allowance of claim 1, as well as dependent claims 2-5 and 7 that ultimately depend therefrom.

**C. Claims 1, 2, 4-7, and 10-14**

Claims 1, 2, 4-7, and 10-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Katoh (GB 2390064). Applicant respectfully traverses the rejection.

As discussed above, claim 1 is directed to a tyre, and recites, in part, a “radially inner portion comprising a band adapted to be releasably fixed with respect to the outer periphery of the wheel rim by being welded thereto.”

Claim 10 refers to a combination of a wheel rim and a tyre. The wheel rim comprises “a tyre support surface incorporating a bead seat on each side of the rim, each bead seat comprising an inner seat portion and an outer seat portion terminating in an arcuate portion defining the outer periphery of the wheel rim.” The tyre comprises “a radially inner portion engagable with the wheel rim to be supportingly received thereon the radially inner portion comprising a band adapted to be releasably fixed with respect to the outer periphery of the wheel rim by being welded thereto.”

Claim 13 refers to a combination of a wheel rim and a tyre. The wheel rim comprises: “a tyre support surface incorporating a bead seat on each side of the rim, each bead seat comprising an inner seat portion and an outer seat portion terminating in an arcuate portion defining the outer periphery of the wheel rim.” The tyre comprises: “a radially inner portion engaged with the wheel rim, the radially inner portion comprising a rigid band supportingly received on, and releasably fixed with respect to, the outer periphery of the wheel rim, the band being releasably fixed with respect to the outer periphery of the wheel rim by being welded thereto.”

Katoh fails to disclose releasably fixing a tire with respect to the outer periphery of the wheel rim by welding. In contrast, Katoh refers to solid tyres which are press fitted on the wheel rims. In fact, as shown in figure 6 and page 12, paragraph 20 of the specification of Katoh, reinforcing core materials may be embedded in the base rubber layer of the tyre in order to increase the rigidity of the base rubber layer. This increases the fitting force between the base layer and the wheel rim.

In contrast, the band (of the radially inner portion of the tyre) recited in claims 1, 10, and 13 is adapted to be releasably fixed with respect to the outer periphery of the wheel rim by being welded thereto. As discussed above, this permits the tyre to be used on a wide variety of different machines, having different wheel/hub offsets.

Accordingly, Applicant respectfully requests reconsideration and allowance of independent claims 1, 10, and 13, as well as dependent claims 2, 4-7, 11-12, and 14 that ultimately depend from one of the independent claims. In addition to the foregoing, it would not have been obvious to modify any of the references cited in the Office Action to arrive at the inventions recited in claims 1, 10, and 13, because there would have been no motivation or reason to do so.

#### **New Claim**

New claim 19 is added. The claim is supported by the original specification and drawings, such as in Figure 3 and page 7, lines 20-25. Claim 19 depends from independent claim 1, and is therefore allowable for at least the same reasons as claim 1, as discussed above.

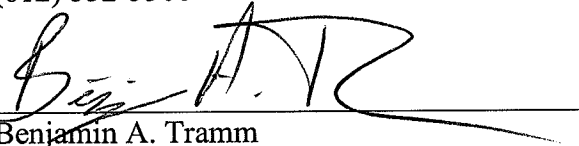
**Conclusion**

In view of this Amendment and Response, Applicant respectfully requests a Notice of Allowance. There may be additional reasons that the pending subject matter is patentably distinct from the cited references in addition to those discussed herein. Applicant reserves the right to raise any such arguments in the future. If the Examiner believes that a telephone conference would advance the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number listed below.

Respectfully submitted,

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